

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAMIRO GOMEZ,

Petitioner,

vs.

A. KANE,

Respondent.

No. C 05-1700 JSW (PR)

**ORDER TO PAY FILING  
FEE AND INSTRUCTIONS  
TO CLERK**

On April 24, 2005, Petitioner, a California state prisoner, filed a petition for writ of habeas corpus. On that same day, the Court sent a notification to Plaintiff that he neither paid the filing fee nor submitted an application for leave to proceed *in forma pauperis* (docket no. 2). The Court provided a copy of the correct form for application to proceed *in forma pauperis*, along with a return envelope, instructions, and a notification that the case would be dismissed if Plaintiff failed to pay the fee or file the completed application within thirty days.

On May 26, 2005, the Court received a copy of a Trust Account Withdrawal Order indicating that Petitioner requested a withdrawal of \$5.00 from his trust account for the purpose of paying a filing fee, and that the account had insufficient funds. Plaintiff has failed to either pay the filing fee or file a complete *in forma pauperis* application.

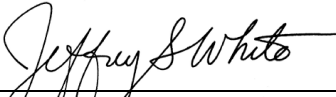
The Court hereby grants an extension of time for Petitioner to either pay the appropriate filing fee or submit a complete Prisoner's *in forma pauperis* application, in its

1 entirety, by **December 15, 2005**. If Petitioner fails to either pay the filing fee or file a  
2 completed *in forma pauperis* application by that date, this action will be dismissed  
3 without prejudice.

4 The clerk shall send a copy of the *in forma pauperis* application to Petitioner with  
5 a copy of this Order.

6 IT IS SO ORDERED.

7 DATED: November 15, 2005

  
\_\_\_\_\_  
JEFFREY S. WHITE  
United States District Judge